FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.600 OF 2006

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.A.R.Joshi for the petitioner.

Mr.R.More APP for the State.

Coram : R.S.Mohite,J

Date : 28.4.2006.

PC

1. Heard both sides. Rule. By consent rule made returnable forthwith.

2. This is a petition seeking release of the truck which has been seized for carrying jaggery on 10.12.2002. The truck has been lying with the respondent not-with-standing the fact by order dated 12.5.2003 it was directed to be returned on deposit of bank guarantee of Rs.2,00,000/- and cash of

Rs.1,00,000/- alongwith bond of Rs.4,00,000/-. Subsequently this was modified by order dated 21.12.2005 by the Addl.Chief Metropolitan Magistrate, 38th Court, Ballard Pier, Mumbai and the condition of return was now reduced to bond of Rs.1,50,000/- with one surety and the bank guarantee of Rs.50,000/-. In my view, vehicle is lying idle for last 4 years. In the circumstances, ends of justice would be met if direction is given to the petitioner who is registered owner of the truck to furnish solvent security in the sum of Rs.50,000/- before the trial Court and also file an undertaking before the trial Court that he will not dispose of the truck and keep it in a good repair and produce the same as and when called by the trial Court and will not create any third party. On the compliance of the above directions, truck will be returned to the petitioner. Rule made absolute

in the aforesaid terms. Respondents to act on an authenticated copy of this order.

(R.S.Mohite,J)